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SUBJECT: GTIP VISIT TO AZERBAIJAN, JANUARY 28-31, 2008

REF: PER 1.4 (B) AND (D)

Classified By: Vice Consul Scott Whitmore

¶1. (C)Summary: From January 28-31, 2008, Jennifer Schrock Donnelly, Foreign Affairs Officer, Office to Monitor and Combat Trafficking in Persons (G/TIP), visited Baku to meet with local NGOs, International Organizations and GOAJ agencies that deal with the issue of trafficking in persons including meetings with the chief of the Anti-TIP Unit and the National Coordinator for Combating TIP in Azerbaijan. While the GOAJ has improved the infrastructure to combat TIP there is still work to be done for real reform. A lack of a national referral mechanism and open channels of communication and cooperation between NGOs and GOAJ is limiting the opportunity to improve the GOAJ efforts to combat TIP. Lack of TIP training for prosecutors, judges and law-enforcement officials and treatment of victims in courtroom settings is also hampering anti-trafficking efforts. This visit created an opportunity to reinforce key USG anti-trafficking concerns regarding prosecution, protection and prevention with the GOAJ. Specifically, Ms. Donnelly raised the importance of a National Referral Mechanism as a key step to improve the protection of victims in Azerbaijan and underscored the importance of punishment for convicted traffickers.

UPDATE ON TIP INFRASTRUCTURE

¶2. (U)In early January 2008 a national TIP hotline was opened, in the past year the shelter has been fully renovated and equipped with furniture and equipment and a new 3 story office building was built for the Anti-Trafficking in Persons Unit. While the GOAJ has made improvements to the physical infrastructure for combating TIP, much work remains to be done to maximize their effectiveness.

¶3. (U)Accompanied by the chief and deputy chief of the Ministry of Interior,s (MIA) Anti-Trafficking in Persons Unit, Emboffs and G/TIP representative visited the MIA TIP hotline and met with the director of the NGO which operates the hotline. OSCE provided the equipment for the hotline. While located in a newly renovated apartment, the hotline is also in a residential building still under major construction and lacking heat and running water. No other apartments appeared to be occupied and there were telephone and electrical wires running across the ceiling of the outside hallway. According to the chief of the Anti-TIP Unit, there is currently one full time operator but there are plans to hire three more in the coming months. Operators will be women who have participated in special training ad who have passed a background investigation.

¶4. (SBU)There were other areas for improvement at the hotline. Reportedly, salaries are insufficient and there are currently no standard operating procedures for handling incoming calls nor is there training for operators in dealing with TIP specific issues. The chief and deputy chief of the Anti-TIP unit acknowledge these facts and plan to provide

both before the opening ceremony of the hotline. Public awareness of the hotline number is limited and despite GOAJ officials, claims that they are advertising this number, the level of outreach appears to be minimal. During our time at the hotline, the number was constantly ringing but most of the calls were a result of the hotline number being the same as a local area code. GOAJ officials stated they were in the process of changing the area code number to avoid this problem.

15. (C)The GTIP representative and Emboffs then visited the TIP victims shelter and were met by the director of the shelter who also runs a local NGO. (Note: Both directors of the shelter and hotline also run local NGO,s that are considered by the NGO community to be, at the least, GOAJ-friendly and perhaps GOAJ-controlled.) The shelter is well-maintained in a remote area of Baku, fully-furnished with a cafeteria, gym, and offices for a physician and psychologist. The facility can accommodate 45 TIP victims although there were no victims in the shelter at the time of the visit and only 29 victims elected to use the shelter in 2007. When the director was asked to explain the small number of victims to use the shelter compared to the overall number of TIP victims identified (in the hundreds) she quickly explained that it is a voluntary decision for victims to stay at the shelter. Other NGOs however, theorized that many women do not want to go to the shelter because they perceive it as government run and mistrust law enforcement. OSCE reported that salaries for shelter staff are minimal.

MEETING WITH INTERNATIONAL ORGANIZATIONS

16. (C)The GTIP representative met with the members of OSCE, UNCHR and ILO to discuss their views on what the GOAJ is doing on TIP. IOM was also invited but was not able to attend. ILO has held a workshop on drafting a National Action Plan (NAP) in which the GOAJ has participated and has provided NAP guideline information to the national coordinator for TIP. They are also working with the Ministry of Labor to open reintegration centers in the regions to offer job training to TIP victims.

17. (C)OSCE helped draft TIP pamphlets for distribution in the regions and have increased their law enforcement training. OSCE stated they now have excellent access to GOAJ officials and readily provide TIP data; a notable improvement from years past. While the OSCE has planned projects with the GOAJ on drafting a NRM they expressed disappointment that there had been no developments in this area. Additionally, they would like to send GOAJ officials to another country to gain experience in drafting and implementing this mechanism in Azerbaijan but are only in the preliminary planning stages. The OSCE also noted due to a few select judges, some sentences for traffickers are stricter, increasing from mostly conditional sentences to 8-10 years. Overall, they noted punishment for traffickers remains insufficient and the majority continues to perceive victims as criminals. Finally, they are seeing more support in the regions due to the increased outreach by the Anti-Tip unit, but noted the quality of workshops was varied and only a few select NGOs were allowed to participate.

AREAS FOR IMPROVEMENT

18. (C)Despite the areas of cooperation and slight improvement in access to GOAJ officials, every civil society organization had suggestions for ways the GOAJ can improve. They noted they are still largely left out of anti-trafficking efforts, (for example, the 2007 National Action Plan was drafted without input from civil society). Also many noted that TIP is not really prioritized in the national budget. They noted that law enforcement agencies don,t treat TIP as a separate issue from prostitution and in the police academy they teach the subject as part of a larger issue such as human rights. They also found that judges, law enforcement personnel and prosecutors all lack specific TIP training. Overall they reported inadequate punishment for traffickers and bias against victims in courtroom settings. OSCE monitored some

TIP trials and described judges, intolerance toward victims and in one case observed a judge insulting the victim (both during court proceedings and in the corridor afterwards). According to the director of the Women,s Crisis Center, courts are the biggest obstacle in Azerbaijan, explaining that cases rarely get decided in favor of the victim, due to judicial bias, corruption and cases being badly prosecuted. She reported that cases may begin as TIP but then are referred to another Department where the victims are treated/prosecuted as criminals.

¶9. (C)They also doubted the increased numbers of TIP criminals that the GOAJ has identified in 2007 and suspected they were trying to fill quotas. Furthermore, they stated the statistics they do provide are conflated with smuggling and prostitution and reflect a lack of understanding of trafficking. Also ILO noted that the actual number of victims is much higher due to victims, mistrust of police and fear of traffickers. It became evident that overall statistics provided by the government are not reflecting an accurate picture. All agreed that the Anti-TIP unit staff needed immediate and substantial salary increases. Although the 2006 TIP Report reported that this unit had been fully vetted according to international standards, the government has yet to provide the required information on the unit.

¶10. (C)During a meeting with members of anti-trafficking unit the need for a referral mechanism was apparent. When asked about the process of identification of victims they reported that after raids victims are invited to come back to the police department to talk to them and are encouraged to contact them later. Also they reported victims are voluntarily approaching their department with information and referring other victims to them. Given the realities of corruption, mistrust of police and the inherent trauma and rarity of self-identification of TIP victims, this method of identification and handling of victims does not reflect a true understanding of TIP victims and the approach necessary to deal with them.

¶11. (C)Nearly all civil society groups noted law enforcement corruption as an impediment to anti-TIP efforts, influencing both punishment for traffickers and resulting in selective law enforcement operations in raids of establishments. They allege that as a result of these bribes, officials are not disclosing all cases and arrest statistics. The head of the women,s crisis center reported that one TIP victim witnessed police enter the bar and take money from the owner.

Meeting with Local NGOs

¶12. (C)The GTIP representative also met with 10 members of the local NGO TIP network representing Baku and the regions of Azerbaijan. The names and organizations participating in the meeting were: Nazir Guliyev, World of Law; Azer Allakhveranov, Forum of Azerbaijan NGOs on Migration Issues; Kamale Agazade, Azerbaijan Children,s Union; Malahat Agayeva, Nur Education Center; Gulnara Rzayeva, Symmetry Gender Association; Eynulla Kheyrullayev, Guba Resource Center; Taciya Novruzova, Ganja Women,s Rehabilitation Center; Asif Bayramov, Zagatala National Forum; and Rafik Muradov, Gazakh,s Young Leaders Association. The group is organized by Mehriban Zeynalova, Clean World, who also operates the TIP shelter. The group discussed their activities and level of cooperation with the GOAJ and, while responses varied by NGOs, the overall theme was the need for better cooperation and communication between the GOAJ and local NGOs and civil society members. Most NGOs felt the GOAJ was not open to their suggestions and that their concerns were not considered. Only two NGOs stated they had worked with the GOAJ and assisted them with TIP victims in 2007 in some capacity. Many in the NGO network also echoed OSCE and ILO concerns about judicial corruption and judges, intolerant attitude towards victims and verbal abuse that TIP victims are subjected to in courtroom settings.

¶13. (U)Nature and extent of TIP: Several NGOs reported they believe that TIP problem is becoming more developed and

increasingly controlled by organized crime and monopolies. NGO Clean World however disputed this. Another NGO reported the use of debt bondage is common. Further, many NGOs expressed frustration that they learn of victims abroad in Dubai, but cannot help them, noting that the only way an MOI can start an investigation is when a victim is deported from the UAE. (There is currently no bilateral cooperative agreement between Azerbaijan and the UAE). The phenomenon of early marriage also appear to be a contributing factor in TIP, girls are married off but then later may be abused or abandoned by husbands are then are vulnerable to trafficking.

Meeting with National TIP Coordinator

10. (C) The final meeting was with the national coordinator for Anti-TIP efforts in Azerbaijan, Deputy Minister Vilayet Eyvazov. Deputy Minister Eyvazov explained the work the GOAJ is doing to combat TIP. He explained that a new NAP will be completed in March of 2008 and he is working with the Ministry of Labor to build rehabilitation centers in the regions for TIP victims. He also stated that the GOAJ has addressed the gaps in the TIP laws, increasing the sentencing of repeat offenders up to 8-12 years. According to his records, the GOAJ has identified 74 TIP cases and 101 victims in 2007 and 5 TIP cases in January of 2008. Fourteen Azerbaijani citizens were arrested overseas in connection with TIP crimes. Deputy Minister Eyvazov described the public outreach and cooperation with local NGOs. When G/TIP officer explained that a common complaint from NGOs was lack of cooperation with the GOAJ, he refuted this stating that the government stands ready to cooperate. Although this conflicted with NGO reports we met with, he reported the GOAJ works with 30 local NGOs, hold quarterly meetings with them in the regions and Anti-TIP staff hold regular lectures in civil institutions on the TIP issue.

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